

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bernard MARION

Serial No.: 09/986,983

Filing Date: November 13, 2001

AN IMPLANTABLE SUBCUTANEOUS VALVE FOR THE TREATMENT  
OF HYDROCEPHALUS, AND ADJUSTING DEVICES THEREFOR

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Attention: APPLICATION BRANCH  
MISSING PARTS OF APPLICATION

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed November 28, 2001, copy attached.

- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☒ Small Entity Declaration (2 pages) under 37 C.F.R. §§1.9 and 1.27.
- ☒ Certified copy of French (FR) Application No. 0014551, filed November 13, 2000, the priority of which is claimed under 35 U.S.C. §119.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.



*L. Payer*  
*#5/Priority*  
*Paper*

Serial No.: 09/986,983

X Filing Fee, calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$370.00	\$740.00	370.00
Total Claims <u>11</u> - 20 = <u>0</u>	(x \$9) =	(x \$18) =	.00
Indep. Claims <u>02</u> - 3 = <u>0</u>	(x \$42) =	(x \$84) =	.00
<u>X</u> Surcharge: Late Filing	+ \$65	+ \$130	65.00
			<hr/>
			TOTAL FILING FEES \$ 435.00

Check No. 56574, in the amount of \$435.00, is enclosed to cover the filing fee and late filing surcharge. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By

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Atty. Docket No.: P67310US0  
Date: January 28, 2002  
HBJ:jrc



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/986,983	11/13/2001	Bernard Marion	P67310US0

CONFIRMATION NO. 6024

FORMALITIES LETTER



\*OC000000007128242\*

JACOBSON HOLMAN  
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400 SEVENTH STREET, N.W.  
WASHINGTON, DC 20004

Date Mailed: 11/28/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/30/2002 MBERKE 00000019 09986983

01 FC:201 370.00 OP  
02 FC:205 65.00 OP

COPY